creating a multi-tone acoustic signal in the form of <u>PCM modulated</u> first digital audio samples;

transmitting the PCM modulated first digital audio samples via the RF link;

converting the <u>PCM modulated</u> first digital audio <u>samples</u> [signals] to an analog audio waveform such that the analog audio waveform is the acoustic equivalent of the <u>PCM modulated</u> first digital audio samples;

acoustically emitting the analog audio waveform via a loudspeaker;

in the RF equipped [POS] Point-of-Sale device:

receiving the <u>PCM modulated</u> first digital audio samples via the RF link; receiving the analog audio waveform via a microphone;

converting the analog audio waveform to <u>PCM modulated</u> second digital audio samples; comparing the <u>PCM modulated</u> first digital audio samples against the <u>PCM modulated</u> second digital audio samples to determine if they match, and if the <u>PCM modulated</u> first digital audio samples match the PCM modulated second digital audio samples, then

determining the distance between the portable wireless communication device and the RF equipped [POS] <u>Point-of-Sale</u> device based on the known speed of propagation of radio waves, the known speed of sound, and the time difference between the arrival of the <u>PCM modulated</u> first digital audio samples and the acoustic signal.

- 2. (Cancelled)
- 3. (Previously amended) The method of claim 1 wherein the RF link is BluetoothTM.
- 4. (Currently Amended) The method of claim 1 further comprising terminating an exchange of further radio messages between the portable wireless communication device and the RF equipped [POS] <u>Point-of-Sale</u> device if the distance between the two devices is greater than a threshold value.

- 5. (Original) The method of claim 1 further comprising terminating the performance of a financial transaction if the distance determined is greater than a threshold value.
- 6. (Currently Amended) In a portable wireless communication device, a method of determining the distance between the portable wireless communication device and a RF equipped [POS]

 Point-of-Sale device, the RF equipped [POS] Point-of-Sale device capable of emitting a multi-tone acoustic signal and transmitting a pulse code modulation (PCM) radio signal that is a digitized version of the multi-tone acoustic signal, the method comprising:

receiving the digitized version of the multi-tone acoustic signal in the form of <u>PCM</u> modulated first digital audio samples via an RF link;

receiving the multi-tone acoustic signal via a microphone;

converting the received multi-tone acoustic signal to <u>PCM modulated</u> second digital audio samples;

comparing the <u>PCM modulated</u> first digital audio samples against the <u>PCM modulated</u> second digital audio samples to determine if they match, and if the <u>PCM modulated</u> first digital audio samples match the <u>PCM modulated</u> second digital audio samples, then

determining the time difference between the arrival of the <u>PCM modulated</u> first digital audio samples and the multi-tone acoustic signal; and

determining the distance from the RF equipped [POS] <u>Point-of-Sale</u> device based on the known speed of propagation of radio waves, the known speed of sound, and the time difference between the arrival of the <u>PCM modulated</u> first digital audio samples and the multi-tone acoustic signal.

- 7. (Cancelled)
- 8. (Previously Amended) The method of claim 6 wherein the RF link is BluetoothTM.

9. (Currently Amended) A portable wireless communication device capable of determining the distance between itself and a RF equipped [POS] device wherein the RF equipped [POS] Point-of-Sale device emits a multi-tone acoustic signal and transmits a corresponding <u>pulse code</u> modulation (PCM) radio signal in the form of first digital audio samples, the portable wireless communication device comprising:

an RF module that receives the <u>PCM modulated</u> first digital audio samples via an RF link;

a microphone that receives the multi-tone acoustic signal;

a CODEC that converts the received multi-tone acoustic signal to <u>PCM modulated</u> second digital audio samples; and

a processor that:

compares the <u>PCM modulated</u> first digital audio samples against the <u>PCM modulated</u> second digital audio samples to determine if they match, and if the <u>PCM modulated</u> first digital audio samples match the <u>PCM modulated</u> second digital audio samples, then

determines the time difference between the arrival of the <u>PCM modulated</u> first digital audio samples and the multi-tone acoustic signal; and

determines the distance from the RF equipped [POS] <u>Point-of-Sale</u> device based on the known speed of propagation of radio waves, the known speed of sound, and the time difference between the arrival of the <u>PCM modulated</u> first digital audio samples and the multi-tone acoustic signal.

- 10. (Cancelled).
- 11. (Previously Amended) The portable wireless communication device of claim 9 wherein the RF link is BluetoothTM.
- 12-14 (Cancelled).